Vol. II. Numb. 18.

THE OBSERVATOR.

Of the Proceedings againſt the Obſervator *at the Seſſions-Houſe in the* Old-Baily. *The Form of an Indictment againſt the* Obſervator, *for* Robert Stevens *to give to the* Grand Jury *the next Seſſions. Some Queries to a Counſellor at Law, concerning* Stevens's *Proceedings thereupon.*

From Saturday July the 10th, to Wednesday July the 14th, 1703.

Obſ. HOneſt *Country-man* I wonder how you came to be ſo Impos'd upon, as to bring me an Account from *London* that a Bill was found againſt me at the *Old-Baily*, when there was no ſuch thing done; for I have an Account in my Hand, by Letter from *London*, that the Grand Jury were all good Proteſtant Gentlemen, and did not think it convenient to find a Perſon *Guilty of Writing againſt Popery*, which they eſteemed no Crime, and therefore very Honourably found the Bill *Ignoramus*. You muſt take heed of being Impoſed upon; falſe Stories may do us a Miſchief.

Country-m. I proteſt, Mr. *Obſervator*, I thought I had it from the beſt Hands; for your Printer and Publiſher told me ſo, juſt as they were come from Court, and had been Sworn as Evidence againſt you. But upon my coming to Town this Time, I went to a Coffee-Houſe to ſee how matters ſtood, where I found a parcel of *Engliſh* Proteſtant Citizens Rejoycing, that the Honeſt *Obſervator* was Acquitted at the *Seſſions-Houſe* in the *Old-Bayly*, which made me prick up my Ears, and with a great deal of Joy I was juſt going to the Gentlemen to know the Circumſtances, but one of them popt out a Word I did not very well like; for he ſaid the *Country-man* was a meer Knave to carry the *Obſervator* ſuch a falſe Story: I e'en rub'd off, for fear I ſhould be known, and be well Drub'd for Lying. Hereupon I trudg'd away to Mr. *How*, and was very Angry with him for telling me ſuch a Falſhood: But he told me that he was Impoſed upon as well as my ſelf, after this manner: As ſoon as He and Mr. *Eragg*, had given their Evidence before the Grand Jury, one *Robert Stevens*, which goes at *London* by the Name of *Robin Hog*, came to them and told them that the Grand-Jury had found the Bill againſt you, and that they muſt both of 'em enter into Recognizance, to appear as Evidence againſt you the next Seſſions, which they accordingly did in open Court, on the Penalty of Twenty Pound each; this was enough to convince Mr. *How* that the Bill was indeed found againſt you, for it could not be imagined that any one could have the Impudence to miſrepreſent, after ſuch an Inſolent mannner, the Proceedings of a Court of Juſtice. About an Hour after this (when the Jury had Examined into the Bill, and had compared it with the *Obſervator* on which it was Founded, which was That of the 5th of *June* laſt, Number 17; and particularly that part of it in the third Column relating to the *Papiſts*) the Jury found the Bill *Ignoramus*. However this *Robert Stevens* gave out that the Bill was found againſt you, and ſome of the Popiſh Hawkers made a Noiſe in the Streets that the *Obſervator* was Convicted, which was ſo poſitively affirmed about Town, that many Perſons went to the Gentlemen of the Jury to be aſſured of the matter of Fact. I'll aſſure you Sir, the People at *London* are in a Thouſand Thoughts, how at this time of Day a Gentleman, who has *only Wrote in Defence of my Queens Right to the Crown, and of the Rights of Parliament*, ſhould come to be Proſecuted in the *Queens Name*, and by Her Authority for *Writing againſt the Papiſts*.

Obſ. I'll unravel to you, and all the Proteſtant Gentlemen of *England*, this Miſtery of Iniquity. This *Robert Stevens* is a Fellow that was employ'd as Meſſenger of the Preſs in former Reigns: He was the Tool of *Papiſts* and *Tories*; and in thoſe Days when *Packing of Juries* were in faſhion, if *Jefferies*, Father *Peter*, *Burton* and *Graham*, *Brent*, or any of that Gang, had a mind to take off a Man under pretence of Law, *Robin* never wanted a Jury and Evidence to accompliſh it; and many times, when his Evidence fail'd him either thro' their *Ignorance* in the Cauſe, or the *Squeamiſhneſs* of their *Conſciences*, *Robin* turned Evidence Himſelf, and was often ſo Unfortunate as to Swear beyond his Knowledge, for which he has ſeveral times been Indicted for Perjury. Theſe Indictments at large have been Printed and Publiſhed in the *Flying-Poſt*. And in a Weekly Paper Publiſh'd about Twenty Years ago, call'd, *News from* Parnaſſus, you have a very good Account, I don't ſay of his *Honeſt Actions*; and therein he is dignify'd and diſtinguiſh'd by the Title of *Don Roberto Eſteven del Porco*. He is a Perſon that has not the good Word of one Honeſt Man in *England*, hardly of the greateſt Knave; for by his Superlative Vices he became ſo very Scandalous, that he was turn'd out of all Employment in the late Reign; and tho' he Impudently and to the Diſreputation of the preſent Government, pretends himſelf now to be a *Meſſenger* in *Fee*, it is abominably falſe: The Reputation of the preſent Miniſtry is ſuch as cannot admit of the Service of a Perſon of ſuch a Character; and I dare engage, upon enquiry, he had no Authority from the Government to prefer this Bill againſt me; tho' my Letter tells me he had the Impudence to break rudely into the Room on the *Grand Jury*, and ask them *Whether the Attorney and Sollicitor General muſt wait ſo long upon them to find a Bill?*

However he induſtriouſly thruſts Himſelf into Buſineſs, and is the *Common Plague of Mankind*; he's a *Newgate Sollicitor*, or an *Old-Baily Miniſter*; tho' 'tis much wonder'd a Perſon ſo Scandalous ſhould be Suffer'd to diſturb and perplex a *Court of Juſtice*. When you brought me, not long

long since, an Account of the *Popish-Club* in *Black-Fryars*, he became a Sollicitor for the *Papists*, and carry'd the Orders of their Club to the *Secretary of State*, and, as he said, satisfy'd the Secretary that the People of the Club were Innocent Persons; and then he brought the said Orders to me, which I never Read, but told him *I Read Acts of Parliament, and not Club-Orders*, which howsoever Innocent, the Persons ought to be Prosecuted according to the Laws of *England*. At this very Sessions he was busie in Clearing the Persons taken some time since in *Romney-March*, as coming from *France*: So that Honest *Robin* had two good Causes; one to *Clear the Enemies of our Country*, and the other, *to find One of Her Majesties best Friends Guilty*.

It seems indeed very strange, that a Person should be *Indicted for Writing against the Papists*; but 'tis no great Wonder when *Robin Stevens* is the Prosecutor; for he never, as I could hear of, Prosecuted one Enemy against the Government: He is so open handed as to let the *Exorbitant Grants* of King *William* slip thro' his Fingers, tho' in it is contained the highest Reflections on that great Prince, by whose Fatherly Care, and Inimitable *Courage* and *Conduct*, we now enjoy the *Liberties* and *Priviledges* of our dear Country; and also in it is contained the highest Treason against our most *Gracious* and *Lawful* Soveraign Lady that is possible for a Pen to be guilty of: I say, he could let this Book slip thro' his Fingers, and yet could be so close Fisted as to catch a single half Sheet of *Paper* written only in *Defence of Her Majesties Right*, and the *Authority of Parliament*. We can only guess at the Persons that set the Infamous Tool on Work: We may easily see the *Poppets* advance on the Stage, when we cannot perceive the Wires which makes them Dance and cut Capers: The People behind the Curtain are not seen till the *Jack-Pudding* has got the Company together, and then show themselves in their Colours. Whether *Robins* Friends, the *Papists*, or his Brethren, the *Jews*, or my old Friends of the *Victualling* were the Contrivers of this *Prosecution*, it matters not; the Honesty of the latter, may be *Smelt* at this present at *Cuckolds-Point*, and at the *Red-House* at *Deptford*; and the others in time, by the good and wholesome Laws of *England*, may *Stink* full as bad.

Country-m. I protest, Master *Observator*, you are the most Unhappy Man in the whole World; the *Papists*, they Swear they will *Massacre* you, the *Jews* will *Circumcise* you, and if Mrs. *Tyrconnel* Catches you, you'l hardly escape without *Castration*, the High-Fliers will *blow you up with a Bagg of Oat-Meal* above the *Welkin*, the good Folks of the *Navy* will *Keel-hawl* you, and have you *Drubb'd* at the *Geers*. I don't Banter, Sir, for a very Honest Gentleman says, That *Robin Stevens* told him, *tho' you escaped this time he would hamper you the next Sessions, and would get all things in better Order for that purpose than now*; good Sir, have a Care, there's a Plot against you.

Obs. No more against me than against every Honest Man in *England*, only I stand more in the way than others. I would have them the next Sessions come to the Point, and Indict the *Observator*, for that He not having the fear of God before his Eyes, did Wickedly, Falsly, Maliciously, Trayterously, and Seditiously *Maintain* the *Rights* of Queen *Ann* to the Imperi[al] Crowns of *England*, *Scotland*, and *Ireland*, and th[e] Dominions and Territories thereunto belong[ing]: That after the same Manner he did *Asser[t]* the *Priviledge* and *Authority* of the *Parliament* o[f] *England*, and did *Maintain*, That the People o[f] *England* were a *Free-People*: That he not having the fear of God before his Eyes, *&c.* did *Vin[di]cate* the *Incarnation* and *Mediation* of our Bles[s]ed Saviour *Jesus Christ* against the *Jews*, who were His Crucifiers, That he did Traiterously and Seditiously, in several of his Papers, and particularly in that of the 5th of *June* last, for which there was an Indictment brought in against him the last Sessions, call the pretended Prince of *Wales*, (*The other Hope of the* Jacobites *and* Papists *in* England, *and of the* Non-jurant Clergy *of* Scotland) by the Ignominious Title of Perkin, and him (the pretended Prince of *Wales* meaning) has often Calumniated, Aspersed, and Evil Treated: That he hath endeavoured to Subvert the *Evil Discipline* of the *Navy*, and to do the Sailors Justice in Respect of *Provisions* and *Pay*; all which has tended to the Destruction of the *French* King, the great Ally of the *Jacobites* and *Papists* in *England*. And that he not having the fear of God before his Eyes has Endeavoured to Subvert the Government of *Bawds* and *Whores*, by Writing against *Vice*, *Prophaness*, and all manner of Immorality: If they Indict me to the purpose, it must be upon these Heads; for my Writings are all to this Effect. I am so far from *Writing against Her Majesties Government, that I never yet entertained an ill Thought of Her Majesty*, and by *Justifying* the *Authority* of *Parliament*, I do but maintain that Power by which I enjoy my Freedom as an *Englishman*. I don't value hundreds of their Indictments, when I am Try'd by such Understanding true *Englishmen* as I had on my last Jury.

And prithee, Honest *Country-man*, when thou goest next to *London* call upon Mr. *Counsellour* ———, and desire him to send me his Opinion on the following Queries.

1. Whether it be practicable to prefer a Bill against a Person, before he is taken into Custody by Warant, or has Notice of his *Offence* or *Prosecution*; since, if the Bill be found against him, he is committed to Prison by the Bench of Justices, and cannot be discharged till the next Sessions; especially against such a person as the *Observator*, whose Presence is daily required relating to Complaints, now before Her Majesty and Council, of Mismanagemens, which tend to the Subversion of Her Majesties Government and the Ruin of *England*?

2. Whether it be Legal to make Persons Enter into Recognizance to appear next Sessions as Evidence to a Bill, which was dismist by the Grand Jury the Sessions before?

3. Whether such a Person as *Robert Stevens*, is not a Scandal to Courts of Judicature, and whether it be not a Discouragement to Gentlemen to serve on Juries when such a person as the said *Stevens* shall Misrepresent their Actions, and Belye them thro' the City of *London*, and highly Scandalize them, by reporting They had found a Bill against a Gentleman for his Writing against *Popery*.

London, Printed by *J. How*, at the *Seven Stars*, in *Talbot-Court*, in *Grace-Church-Street*; and Sold by *B. Bragg*, at the *Blew-Ball* in *Avemary-Lane*, 1703.